

August 25, 1965

## CONGRESSIONAL RECORD — SENATE

gress is a matter entirely within the discretion of the President of the United States or his designee.

9. Upon your assent to this proposal the University of Texas will proceed with its implementation.

Respectfully,

THE UNIVERSITY OF TEXAS,  
HARRY RANSOM,  
Chancellor.

W. W. HEATH,  
Chairman, Board of Regents.

## EXHIBIT B

GENERAL SERVICES ADMINISTRATION,  
Washington, D.C., August 17, 1965.  
The PRESIDENT,  
The White House.

DEAR MR. PRESIDENT: It is an honor and pleasure on behalf of the United States to accept, in accordance with the powers vested in me by the Federal Property and Administrative Services Act of 1949, as amended, your generous offer of certain papers and other historical materials contained in your letter of August 13, 1965, under the conditions and restrictions which you have prescribed therein.

This priceless gift to the Nation and scholars of this generation and those that follow will forever enrich our history and culture. I know that the memory of your selfless gesture will live eternally in the hearts of a grateful people.

Respectfully yours,

(S) Lawson B. Knott, Jr.  
LAWSON B. KNOTT, JR.,  
Administrator.

THE WHITE HOUSE,  
Washington, D.C., August 13, 1965.

DEAR MR. KNOTT: It has long been my belief that the papers and other historical materials of a President constitute a vital part of our Nation's historical heritage and that such papers and materials should be permanently preserved and made available for scholarly research and study.

You are aware that it also has long been my intention to donate my papers and other historical materials to the United States for ultimate deposit in a Presidential Archival Depository as provided by section 507(f) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 397(f)).

You are also aware that the University of Texas has advised me of its intent, consistent with its educational purposes and objectives, to provide, at its expense, an appropriate site within the principal academic environs of the University of Texas, and to construct thereon a suitable Presidential Archival Depository to be known as the Lyndon Baines Johnson Library and to turn over, dedicate, and make available the space and facilities so to be constructed, furnished, and equipped by it, to the United States for its use in perpetuity pursuant to the aforesaid authority, as a Presidential Archival Depository for the housing, preservation, display, and appropriate use of my Presidential papers and other historical materials.

I have indicated to the University of Texas and publicly announced my approval of its proposal.

Accordingly, and in furtherance of the public purposes which will thus be served, I hereby offer as a gift to the United States for the purpose of ultimate deposit in the said Presidential Library my Presidential and other papers, documents, historical materials, mementos, objects of art, and other memorabilia, including books, motion pictures, still pictures, and sound recordings, all herein-after called materials belonging to me or in my possession which relate to my life and work, subject to the condition that these materials be accepted, preserved, and made available by the United States under the following conditions:

1. As an initial step the materials shall

be accepted by the United States for deposit in the National Archives pursuant to section 507(e) of the act, supra, until the completion and acceptance by the United States of the above-described Lyndon Baines Johnson Library at which time the materials shall be deposited in that Library and administered in accordance with the pertinent provisions of the act, supra.

2. It is my purpose to make the papers and other historical materials referred to herein available for the purpose of study and research as soon as possible and to the fullest possible extent. However, since the President of the United States is the recipient of many confidences from others, and since the inviolability of such confidence is essential to the functioning of the constitutional office of the Presidency, it will be necessary to withhold from public scrutiny certain papers and classes of papers for varying periods of time. Therefore:

(a) I hereby reserve the right to restrict the use and availability of any materials to which this agreement applies, irrespective of the time when such materials may have been, or may be delivered to the United States, for such time as I, in my sole discretion, may from time to time specify, and such restrictions shall be adhered to and observed in all respects for as long a period of time as may be specified or until such restrictions are revoked or terminated by me or persons authorized to act on my behalf with respect thereto, or as otherwise provided in this agreement.

(b) During my tenure as President of the United States any materials accepted and deposited pursuant to paragraph 1, above, shall be made available by display or otherwise for public inspection, research, or other use subject to restrictions (1) imposed at time of delivery of possession thereof to the United States; (2) as otherwise provided for in this agreement; and (3) as may be imposed by me or by persons authorized to act for me with regard thereto.

(c) Archival personnel of the United States designated by the Administrator of General Services shall review the materials to which this agreement applies and any materials in the following categories shall be placed under seal of restriction:

(i) Materials containing statements which may in any manner be used to injure, embarrass, or harass any person, or materials which may in any manner be prejudicial to the conduct of foreign relations of the United States of America, or materials containing statements made by or to me in confidence.

(ii) Defense information that has been security classified pursuant to law or Executive order: *Provided*, That such information may be declassified or otherwise made available in accordance with the procedures established by law or Executive order governing availability of security classified information.

(iii) Papers relating to my family or private affairs, and papers relating to the families or private affairs of persons who have had correspondence with me.

(d) All material restricted pursuant to this agreement shall be reviewed from time to time by archival personnel designated by the Administrator of General Services, the restrictions removed therefrom, and the materials made available for public display and research use as soon as the passage of time or other circumstances no longer require such materials being kept under restriction: *Provided*, That restrictions imposed on materials by paragraph 2(b), above, shall not be removed during my tenure as President without my personal approval or the approval of persons authorized to act for me with respect thereto.

(e) Materials placed under restriction pursuant to this agreement shall not be made available to anyone or their contents divulged to anyone (including public offi-

cials) except (1) persons authorized under the terms of paragraph 5 below and (2) archival personnel designated by the Administrator of General Services when performing essential archival work processes on such papers under the supervision of the Administrator of General Services: *Provided*, That access to security-classified materials shall be made available in accordance with the procedures established by law or Executive orders.

3. All unrestricted materials shall upon (a) deposit in the Lyndon Baines Johnson Library and (b) expiration of my tenure as President, be made available for public display and inspection, and made equally accessible to all competent private persons interested in using the materials for study and scholarly research purposes subject to regulations issued by the Administrator of General Services governing the use of materials in the Library: *Provided*, that such materials may be made available for display, inspection, and research purposes prior to the expiration of my tenure as President with my personal approval.

4. This offer shall not and is not intended to apply to or embrace such items which I determine to be of special or private interest to the personal and family affairs of myself, my wife, and children, and I specifically reserve the right to retain title and possession and to regain possession of any such items that I, in my sole discretion, may determine to be excluded from the purview of this gift, irrespective of the fact that such items may have been theretofore delivered to the United States.

5. All materials transferred to the United States pursuant to this agreement shall be freely accessible to me or my wife or to persons designated by me in writing, subject to the provisions of applicable law and Executive orders governing availability of security-classified information.

6. Subject to restrictions imposed by or pursuant to this agreement, all materials transferred to the United States pursuant to this agreement shall be subject to the right of the Administrator in his discretion (a) to make temporary loans thereof to such persons, organizations, or institutions as he shall determine; (b) to dispose by sale, exchange, or otherwise of any such papers or historical materials which he may determine to have no permanent value or historical interest or to be surplus to the needs of the Lyndon Baines Johnson Library; and (c) to remove from the said Library any and all of such papers or historical materials if he shall deem it necessary to preserve them from threatened destruction.

7. I hereby assign to the United States all my literary property rights in all papers transferred to the United States in accordance with the terms and conditions of this agreement, except that I reserve to myself and my heirs (a) the right to make any use of such papers and (b) all literary property rights in any works that I have written or may hereafter write for publication, including the right to license the publication of such material.

8. The offer of the materials to which this agreement is applicable is conditioned upon the United States, acting by and through the Administrator of General Services, entering into an agreement with the University of Texas to utilize as a Presidential Archival Depository the space and facilities to be constructed, furnished, equipped, and made available by it for such use without transfer of title, and upon agreement by the United States to maintain and operate the Library at all times thereafter as a Presidential Archival Depository for the preservation of such materials, in accordance with the provisions of section 507(f)(1) (44 U.S.C. 397(f)(1)) of the Federal Property and Administrative Services Act of 1949, as amended.

Sincerely,

LYNDON B. JOHNSON.

August 25, 1965

## FOOD AND AGRICULTURE ACT OF 1965—AMENDMENT

AMENDMENT NO. 422

**Mr. CARLSON.** Mr. President, I submit an amendment to the farm bill for printing, and ask that it lie at the Vice President's desk until the farm bill is before the Senate for consideration.

The amendment provides that, notwithstanding any other provisions of law, the Commodity Credit Corporation shall not make any sales of wheat at less than 110 percent of current support prices plus reasonable carrying charges; and for the renumbering of subsequent sections accordingly.

It is my intention to discuss the amendment more fully at a future date, but I wish to have it printed and lie at the desk so that other Senators who are interested may consider the proposal, which I think is important to the Nation's agriculture and the wheat farmers of the Nation.

**The PRESIDING OFFICER.** The amendment will be received, printed, and will lie on the desk, as requested.

## CHANGE OF REFERENCE

**Mr. GORE.** Mr. President, I am advised that the chairman of the Committee on Armed Services, the Senator from Georgia [Mr. RUSSELL] has no objection to the re-referral of Senate bill 1391, to authorize the Secretary of the Army to convey certain lands at the old Hickory lock and dam, Cumberland River, Tennessee, to the Tennessee Society for Crippled Children and Adults, Inc.

I ask unanimous consent that the bill be re-referred to the Public Works Committee.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—CHANGE OF CONFERENCEE

**Mr. DIRKSEN.** Mr. President, I ask unanimous consent that the Senator from South Dakota [Mr. MUNPT] be excused as a conferee on the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, and that the Senator from New York [Mr. JAVITS] be appointed in his stead.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

## PRINTING OF REVIEW OF REPORT ON LYTLE AND WARM CREEKS, SAN BERNARDINO, CALIF. (S. DOC. NO. 53)

**Mr. McNAMARA.** Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated June 2, 1965, from the Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on a review of the report on Lytle and Warm Creeks, San Bernardino, Calif., requested by a resolution of the Committee on Public Works, U.S. Senate. I ask unanimous consent that the report be printed as a Senate document,

with an illustration, and referred to the Committee on Public Works.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

## ADDITIONAL COSPONSOR OF BILL

**Mr. BARTLETT.** Mr. President, I ask unanimous consent that the name of the distinguished Senator from Maryland [Mr. TYDINGS] may be added as cosponsor to S. 1927, to preserve as an area of historic interest certain structures and lands comprising the Washington Navy Yard, at the next printing of the bill.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

## NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

**Mr. EASTLAND.** Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Robert Nelson Chaffin, of Wyoming, to be U.S. attorney, district of Wyoming, term of 4 years—reappointment.

George A. Bukovatz, of Montana, to be U.S. marshal, district of Montana, term of 4 years—reappointment.

Keith Hardie, of Wisconsin, to be U.S. marshal, western district of Wisconsin, term of 4 years—reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, September 1, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 10586) making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes, in which it requested the concurrence of the Senate.

## HOUSE BILL REFERRED

The bill (H.R. 10586) making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

W<sup>H</sup> DR *For Rec file*  
THE SANTO DOMINGO HEARINGS  
BEFORE THE SENATE FOREIGN  
RELATIONS COMMITTEE

**Mr. SYMINGTON.** Mr. President, it is with regret that I note the altercation between the chairman of the Senate Foreign Relations Committee and committee members as to actions incident to U.S. intervention in the Dominican Republic.

I agree with the actions of the administration in this regard, and so stated at the time of these hearings. But I most certainly do not agree with a statement made on the floor yesterday that "a methodical effort was made to prove that the United States was wrongly within that Republic."

The document compiled by the committee staff was not one analyzing the developments in Santo Domingo, or one based on an effort to pass judgment on administration policy.

It was meant to be a working paper with which committee members could outline the subject matter to be discussed during the hearings.

Questions were asked of administration witnesses about the purported facts in the articles in question. From the answers received I reached my conclusion that the action of the administration was proper and sound under the circumstances.

I do not believe that my friend the Senator from Connecticut would have criticized this development in the manner he did if he had been present. For example, a key witness for the administration was just as critical of some of the newspapermen praised in the statement of the Senator from Connecticut as he was about some of the newspapermen criticized by the Senator.

The Senator from Arkansas mentioned in the RECORD that he was considering resigning as chairman of the committee. In my opinion that would be a most unfortunate occurrence. The chairman is a man of character and integrity; and he has a profound background of long experience in the field of foreign relations. I am proud to serve with him on this committee. We do not always agree, but that is characteristic of the nature of our Government.

I am equally proud that he is not either a rubber stamp for the executive branch, or for any particular group on this committee. He makes a sincere effort to develop the truth; and the way the world is today, the truth would seem of utmost importance.

**Mr. CARLSON.** Mr. President, will the Senator yield?

**Mr. SYMINGTON.** I am glad to yield to my friend from Kansas.

**Mr. CARLSON.** I associate myself with the remarks that the distinguished Senator from Missouri has made regarding our distinguished and most outstanding chairman of the Senate Foreign Relations Committee. I cannot think of anything that in my opinion would set back our international programs and policies more than even the suggestion or thought that our chairman might consider resigning from that great committee.

It has been a pleasure to be associated with the Senator from Arkansas [Mr. FULBRIGHT]. He is not only able, but also a great student. As a member of the committee, I cannot think of anyone more able or better qualified. He possesses qualities that make it a joy to work with him.

I appreciate very much the comments that the Senator from Missouri has made.

August 25, 1965

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MR. MANSFIELD. Mr. President, will the Senator yield?

MR. SYMINGTON. I shall yield. But first, Mr. President, I thank my able colleague, also a member of the Senate Foreign Relations Committee, the distinguished senior Senator from Kansas. Knowing him, I am not surprised at his statement. I am grateful for what he said.

I am glad to yield to the majority leader.

MR. MANSFIELD. Mr. President, I join my distinguished colleagues in the remarks they have made about the chairman of the Committee on Foreign Relations. I, too, hope that he does not intend to give serious consideration—or any consideration—to the possibility of resigning as chairman of the committee which he now heads. He is the one Senator who is present at every meeting. He must undertake onerous responsibilities, but he faces up to them with independence, with vigor, and with knowledge.

I came to the Congress 23 years ago with BULL FULBRIGHT. I have watched him in those years with admiration and respect. I have also noted that in the press on occasion he takes unmerciful beatings because he has the temerity to express his independent thoughts on issues of great importance to the country. I point out that a Senator has a responsibility, and a chairman of a committee has a little added responsibility.

What Senator Fulbright has done has always been in the best interests of the country, and what Senator Fulbright has done in conducting the affairs of the committee has been fair and impartial to all concerned.

I believe he is one of the great chairmen of that committee in the history of the Republic.

MR. SYMINGTON. I thank the distinguished majority leader. In that he is also a member of the Committee on Foreign Relations, what he says in this connection is of special significance.

#### SUBCOMMITTEE MEETING DURING SENATE SESSION

MR. CARLSON. Mr. President, at the suggestion of the majority leader, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

THE PRESIDING OFFICER. Without objection, it is so ordered.

#### THE ADMINISTRATION CASE FOR THE VIETNAM COMMITMENT

MR. PROxmire. Mr. President, the administration has assembled as persuasive a document on why we are in Vietnam and why we are staying there as I have seen. It contains concise statements by President Johnson, Secretary of State Rusk, and Secretary McNamara.

It also contains the letters from President Eisenhower and President Kennedy, which constitute the basis for our national promise to Vietnam to assist.

Since these documents are all relatively brief I ask unanimous consent that the monograph entitled "Why Vietnam?" be printed in full at this point in the Record.

There being no objection, the monograph was ordered to be printed in the Record, as follows:

#### WHY VIETNAM?

##### FOREWORD

MY FELLOW AMERICANS: Once again in man's age-old struggle for a better life and a world of peace, the wisdom, courage, and compassion of the American people are being put to the test. This is the meaning of the tragic conflict in Vietnam.

In meeting the present challenge, it is essential that our people seek understanding and that our leaders speak with candor.

I have therefore directed that this report to the American people be compiled and widely distributed. In its pages you will find statements on Vietnam by three leaders of your Government—by your President, your Secretary of State, and your Secretary of Defense.

These statements were prepared for different audiences, and they reflect the differing responsibilities of each speaker. The congressional testimony has been edited to avoid undue repetition and to incorporate the sense of the discussions that ensued.

Together, they construct a clear definition of America's role in the Vietnam conflict: the dangers and hopes that Vietnam holds for all free men, the fullness and limits of our national objectives in a war we did not seek, the constant effort on our part to bring this war we do not desire to a quick and honorable end.

LYNDON B. JOHNSON.

AUGUST 20, 1965.

##### RULES OF ENGAGEMENT

In the historic documents that follow, two American Presidents define and affirm the commitment of the United States to the people of South Vietnam.

In letters to Prime Minister Churchill in 1954 and to President Diem in 1954 and 1960, President Eisenhower describes the issues at stake and pledges United States assistance to South Vietnam's resistance to subversion and aggression.

And in December 1961 President Kennedy reaffirms that pledge.

EXTRACTS FROM LETTER FROM PRESIDENT EISENHOWER TO PRIME MINISTER CHURCHILL, APRIL 4, 1954

(From Dwight D. Eisenhower, "Mandate for Change, 1953-56," New York, 1958)

DEAR WINSTON: I am sure \*\*\* you are following with the deepest interest and anxiety the daily reports of the gallant fight being put up by the French at Dien Bien Phu. Today, the situation there does not seem hopeless.

But regardless of the outcome of this particular battle, I fear that the French cannot alone see the thing through, this despite the very substantial assistance in money and material that we are giving them. It is no solution simply to urge the French to intensify their efforts. And if they do not see it through and Indochina passes into the hands of the Communists, the ultimate effect on our and your global strategic position with the consequent shift in the power ratios throughout Asia and the Pacific could be disastrous and, I know, unacceptable to you and me. \*\*\* This has led us to the hard conclusion that the situation in Southeast Asia requires us urgently to take serious and far-reaching decisions.

Geneva is less than 4 weeks away. There the possibility of the Communists driving a wedge between us will, given the state of mind in France, be infinitely greater than

at Berlin. I can understand the very natural desire of the French to seek an end to their war which has been bleeding them for 3 years. But our painstaking search for a way out of the impasse has reluctantly forced me to the conclusion that there is no negotiated solution of the Indochina problem which its essence would not be either a face-saving device to cover a French surrender or a face-saving device to cover a Communist restoration. The first alternative is too serious in its broad strategic implications for us all for you to be acceptable. \*\*\*

Somehow we must contrive to bring about the second alternative. The preliminary lines of our thinking were sketched out by Foster [Dulles] in his speech last Monday night when he said that under the conditions of today the imposition on southeast Asia of the political system of Communist Russia and its Chinese Communists ally, by whatever means, would be a grave threat to the whole free community, and that in our view this possibility should now be met by united action and not passively accepted. \*\*\*

I believe that the best way to put teeth in this concept and to bring greater moral and material resources to the support of the French effort is through the establishment of a new, ad hoc grouping or coalition composed of nations which have a vital concern in the checking of Communist expansion in the area. I have in mind, in addition to our two countries, France, the Associated States, Australia, New Zealand, Thailand and the Philippines. The U.S. Government would expect to play its full part in such a coalition. \*\*\*

The important thing is that the coalition must be strong and it must be willing to join the fight if necessary. I do not envisage the need of any appreciable ground forces on your or our part. \*\*\*

If I may refer again to history; we failed to halt Hirohito, Mussolini, and Hitler by not acting in unity and in time. That marked the beginning of many years of stark tragedy and desperate peril. May it not be that our nations have learned something from that lesson? \*\*\*

With warm regard,

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##### LETTER FROM PRESIDENT EISENHOWER TO PRESIDENT DIEM, OCTOBER 1, 1954

DEAR MR. PRESIDENT: I have been following with great interest the course of developments in Vietnam, particularly since the conclusion of the conference at Geneva. The implications of the agreement concerning Vietnam have caused grave concern regarding the future of a country temporarily divided by an artificial military grouping, weakened by a long and exhausting war and faced with enemies without and by their subversive collaborators within.

Your recent requests for aid to assist in the formidable project of the movement of several hundred thousand loyal Vietnamese citizens away from areas which are passing under a de facto rule and political ideology which they abhor, are being fulfilled. I am glad that the United States is able to assist in this humanitarian effort.

We have been exploring ways and means to permit our aid to Vietnam to be more effective and to make a greater contribution to the welfare and stability of the Government of Vietnam. I am, accordingly, instructing the American Ambassador to Vietnam to examine with you in your capacity as Chief of Government, how an intelligent program of American aid given directly to your government can serve to assist Vietnam in the present hour of trial, provided that your government is prepared to give assurances as to the standards of performance it would be able to maintain in the event such aid were supplied.

The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of